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February 23, 2010

Mrs. Susan M. Hudson, Clerk
Chittenden Bank Building
Vermont Public Service Board
112 State Street - Drawer 20
Montpelier, VT 05620-2701

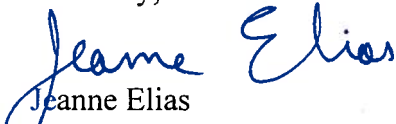
Re: Vermont Energy Investment Corporation Subcontractor Agreements

Dear Mrs. Hudson:

The Department of Public Service appreciates the opportunity to comment on the matter of the "non-compete" clause in the subcontracts used by Vermont Energy Investment Corporation (VEIC). We apologize that we did not get this letter to the Board by yesterday as we had intended.

VEIC's initial decision to discontinue use of the clause in future contracts was a good first step but the Department was concerned about the impact of the clause on current and former subcontractors. Today's correspondence from VEIC indicating that they will not enforce the clause and will notify all affected parties to the subcontracts of this intention fully addresses the Department's concerns. Thank you for your consideration.

Sincerely,


Jeanne Elias
Special Counsel

cc: Attached Service List

